

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

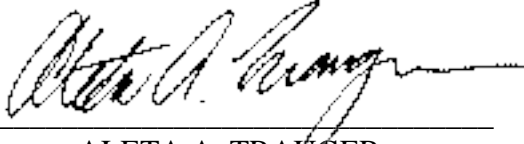
DOUGLAS HENRY TOALSTON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil No. 3:07-0506
	)	Judge Trauger
BRIDGESTONE FIRESTONE	)	Magistrate Judge Brown
NORTH AMERICAN TIRE, LLC,	)	
	)	
Defendant.	)	

**ORDER**

On August 9, 2007, the Magistrate Judge issued a Report and Recommendation, recommending that the defendant's Motion to Dismiss be granted in part and denied in part. (Docket No. 21) No timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that the defendant's Motion to Dismiss (Docket No. 17) is **GRANTED IN PART** and **DENIED IN PART**. The plaintiff's claim under the Americans With Disabilities Act and his claim under Title VII for retaliation shall go forward; his claims under the Fair Labor Standards Act are hereby **DISMISSED**.

It is so **ORDERED**.

Enter this 27th day of September 2007.

  
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ALETA A. TRAUGER  
U.S. District Judge